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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 DELPHINE ALLEN, et al.,

19 **Case No. C 00-4599 WHO**

20 Plaintiffs,

21 **STIPULATION AND ~~PROPOSED~~
22 ORDER TO CONTINUE STATUS
22 CONFERENCE**

v.

23 CITY OF OAKLAND, et al.,

24 Date: September 28, 2018

24 Time: 3:00 p.m.

25 Courtroom 2 – 17th Floor

26 Defendants.

27 The Honorable William H. Orrick

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I. INTRODUCTION/BACKGROUND

2 The next Case Management Conference in this case is currently set for Friday, September
3 28, 2018, with the parties' Joint Case Management Conference Statement and the City's combined
4 Status Reports (Retaliation/Arbitration/Swanson Recommendations) due on September 21, 2018.

5 The parties (and, in particular, the City) are aware of the Court's indication via a recently-
6 issued Court Order that it intends to hold the September 28, 2018 Further Case Status Conference
7 and "will be keenly focused on what tasks from the NSA are still outstanding, why that is, and who
8 the individuals are who are currently responsible for those tasks."

19 Given the City's strong desire to ensure that the Case Management Conference statement is
20 sufficiently detailed and helpful to the Court, counsel for the City asked the other parties to
21 stipulate—with the Court's approval—to a short continuance of the CMC to accommodate Ms.
22 Bliss's medical issues. Counsel for Plaintiffs and the OPOA do not object to the City's request.

23 Accordingly, the parties met and conferred regarding available dates, focusing on the dates
24 in October and November 2018 during which the Independent Monitoring Team is already

¹ If the Court desires more specific information regarding Ms. Bliss's medical condition in evaluating this request, the City respectfully requests that she be allowed to submit that information to the Court confidentially via email.

1 scheduled to visit the Department for its monthly site visits. Of those dates, the parties are all
2 available on October 30, November 27, and November 28.

3 The City apologizes for any inconvenience this request has caused the parties, the IMT and
4 the Court, but is certain that a continuance will ensure that the City can better provide the Court all
5 the information necessary to evaluate the current status of the City's NSA compliance efforts.

6 The City will also be mindful of the Court's indication that it may direct persons responsible
7 for NSA task implementation to be present at the Further Case Status Conference to answer
8 questions.

STIPULATION

10 The parties STIPULATE (subject to the Court's approval) to continue the Case Management
11 Conference currently set for September 28, 2018 at 3:00 p.m. to one of the following dates:
12 October 30th, November 27th, or November 28th. If the Court sets the Conference for the last week
13 of November, the parties intend to file the Case Management Conference statement and the City's
14 combined status reports early – on November 16th – in order to give the Court sufficient time to
15 review the statement in light of the intervening Thanksgiving holiday week.

17 Dated: September 18, 2018 BARBARA J. PARKER, City Attorney
18 OTIS McGEE, JR., Chief Assistant City Attorney
19 RYAN G. RICHARDSON, Special Counsel
KIMBERLY A. BLISS, Supervising Deputy City Attorney
JAMILAH A. JEFFERSON, Senior Deputy City Attorney

By: /s/ Kimberly A. Bliss
Attorneys for Defendants
CITY OF OAKLAND, et al

23 Dated: September 18, 2018 JOHN L. BURRIS
Law Offices of John L. Burris

By: /s/ John L. Burris
Attorney for Plaintiffs

1 Dated: September 18, 2018 JAMES B. CHANIN
2 Law Offices of James B. Chanin
3 By: /s/ James B. Chanin
4 Attorney for Plaintiffs
5 Dated: September 18, 2018 ROCKNE A. LUCIA, JR.
6 Rains Lucia Stern St. Phalle & Silver
7 By: /s/ Rockne A. Lucia, Jr.
8 Attorney for Intervenor
9 OAKLAND POLICE OFFICERS ASSOCIATION
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[PROPOSED] ORDER ON NEXT PAGE

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1 **PROPOSED ORDER**

2 Pursuant to the parties' stipulation, and good cause appearing, the Court hereby continues
3 the Case Management Conference currently set for September 28, 2018 at 3:00 p.m. to
4 Nov. 27, 2018 at 3:30 ~~3:30~~/p.m. The parties' Case Management Conference
5 Statement and the City's Combined Status Reports (Retaliation/Arbitration/Swanson
6 Recommendations) shall be filed on or before Nov. 16, 2018.

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8 Dated: Sept. 20, 2018



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10 HON. WILLIAM H. ORRICK
11 UNITED STATES DISTRICT JUDGE

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